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3743

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/980,999	
	Filing Date	June 5, 2000	
	First Named Inventor	Braithwaite	
	Group Art Unit	3743	
	Examiner Name	Teena Mitchell	
Total Number of Pages in This Submission	12	Attorney Docket Number	2308/2050 (1620/881/P/US)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (\$510) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$_____) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Check in the amount of \$510 <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Assertion of Entitlement to Small Entity Status
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Alice Y. Choi Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1508 Fax: (585) 263-1600
Signature	<u>Alice Y. Choi</u> Registration No. 45,758
Date	<u>January 19, 2006</u>

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____	
Date	<u>Jan. 19, 2006</u>
Signature	<u>Ruth R. Smith</u>
	Ruth R. Smith
	Typed or printed name



PATENT
Docket No.: 2308/2050 (1620/881/P/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Philip Braithwaite)	Examiner:
Serial No. :	09/980,999)	Teena Mitchell
Cnfrm. No. :	3300)	Art Unit:
Filed :	June 5, 2000)	3743
For :	DELIVERY SYSTEM)	

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
PURSUANT TO 37 CFR § 1.27(c)(1)**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.27(c)(1), applicant hereby notifies the U.S. Patent and Trademark Office ("USPTO") that small entity status is entitled to be asserted for the above-identified patent application. Innovata Biomed Limited ("Innovata") qualifies as a small entity under 37 CFR § 1.27(a) and is the sole owner of the present patent application. An assignment for the subject patent application to Innovata was recorded with the USPTO on May 20, 2002, at Reel 013346/Frame 0054. Innovata has not assigned, granted, conveyed, or licensed any rights in the present patent application to any person, concern, or organization which would not qualify as a person, small business concern, or a nonprofit organization under 37 CFR § 1.27. Thus, the present patent application is entitled to small entity status.

Respectfully submitted,

Date: January 19, 2006

Alice Y. Choi
Alice Y. Choi
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CERTIFICATE OF MAILING — 37 CFR 1.8(a)

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Date: Jan 19, 2006 Ruth R. Smith
Ruth R. Smith